

REMARKS

Applicant thanks Examiner Strimbu for the considered Office Action of December 4, 2001. The present application has been carefully reviewed and entry of the present amendment is respectfully requested.

Abstract of the Disclosure

The Abstract of the Disclosure was objected to for recitation of "is disclosed" and "an interface."

The Abstract of the Disclosure has been amended. With respect to recitation of the non-zero angle between the longitudinal dimension of the weatherseal and the path along which the light is emitted as non-zero, this relation has been restated as a path non-coincident with a longitudinal dimension.

Rejections under 35 U.S.C. §112

Claims 1-9, 13-17, 20-23 and 26-32 stand rejected under 35 U.S.C. §112 second paragraph.

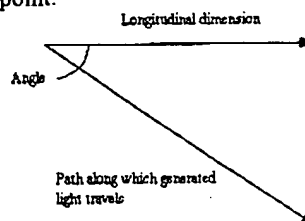
Claim 1

Claim 1 is rejected for recitation of "the opened position" on line 7. This recitation has been amended to reference "a spaced apart open position" as recited in the preamble.

Claim 2

Claim 2 is rejected for recitation of "a non-zero angle with a longitudinal dimension." The rejection is based on the perceived lack of clarity as "what two surfaces define the angle" and "How can the angle be defined with respect to a dimension, when the dimension is nothing more than a length?" [Paper 6, page 5]

Applicant respectfully submits an angle is the figure formed by two lines diverging from a common point.¹



Thus, the longitudinal dimension defines a first line and the path along which the light travels is a second line intersecting at a common point (the respective

¹ The American Heritage Dictionary of the English Language, Fourth Edition, 2000, by Houghton Mifflin Co.

position along the longitudinal dimension) to thereby define an angle. That is, it is not required that there be two surfaces to define the angle but rather two lines.

The remaining rejections under 35 U.S.C. §112 have been addressed through the claim amendments.

Rejections under 35 U.S.C. §102

Claims 1-3, 6, 7, 9 and 20-23 stand rejected under 35 U.S.C. §102(b) as being anticipated by Gold (U.S. Patent No. 5,163,731, the 'Gold 731 patent).

The present claims have been amended to distinguish the reflective strip of Gold '731. Specifically, the claims are directed to a light generating for generating and emitting light, in contrast to a reflective strip, which does not generate light. Additional claims are directed to light transmitting lines, which act as a conduit for conducting light in contrast to the reflective strip of Gold '731.

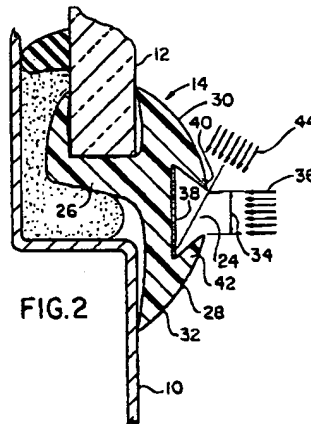
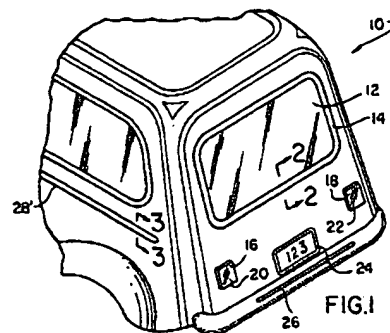
Gold '731 is interpreted to disclose "an illuminating weatherseal 14 for sealing a gap intermediate two confronting surfaces 10, 12, the confronting surfaces movable between a spaced apart open position and an adjacent closed position." (Paper 6, Page 6)

Applicant respectfully submits the relevant surfaces 10, 12 of Gold '731 are not movable between a spaced apart position and an adjacent closed position. Specifically, Gold '731 states "in Fig. 1 the rear of a vehicle 10 will be understood to have a *permanently* mounted rear window 12 surrounded by a reveal molding 14." [emphasis added] (Col. 1, Lines 47-49)

U.S. Patent

Nov. 17, 1992

5,163,731



Therefore, applicant respectfully submits this limitation is not present in Gold '731.

Further, Gold '731 is construed to disclose "a light line 38". (Paper 6, Page 6) The surface 38 of Gold '731 is a "colored reflective material." (Col. 2, Lines 17-18; Col. 2, Lines 30-32; Col. 2, Lines 41-43; Col. 2, Line 47)

In contrast, the present claims have been amended to recite a light emitting line, which generates and emits light. As at least these limitations are neither disclosed nor suggested by Gold '731, applicant respectfully submits rejection of independent Claim 1 under 35 U.S.C. §102 can not be sustained.

As Claims 2-3, 6, 7 and 9 depend from Claim 1 and include all the limitations thereof, these claims are also in condition for allowance.

Claim 20

Independent Claim 20 has been amended and recites in part, "An improved weatherseal assembly having a weatherseal body having a cross sectional dimension, the improvement comprising a *light generating line* extending along a longitudinal dimension of the weatherseal body, the light generating line having a cross sectional area less than the cross sectional area of the weatherseal body and selected to *generate and emit light*." (emphasis added)

As set forth in the discussion of Claim 1, Gold '731 employs a reflective strip (or surface), and does not disclose or suggest a light generating line. The absence of at least this limitation precludes Gold '731 from sustaining the rejection of Claim 20 under 35 U.S.C. §102.

As Claims 21-23 depend from Claim 20 and include all the limitations thereof, these claims are also believed in condition for allowance.

Rejections under 35 U.S.C. §103

Claims 4 and 5, depend at least in part from Claim 1, and stand rejected under 35 U.S.C. §103 as being unpatentable over Gold '731 in further view of Laughman, *et al.* The examiner asserts it would have been obvious to provide Gold '731 with a reinforcing member to increase the strength of the weatherseal.

No portion of Gold '731 has been identified to suggest a required or desired increase in the strength of the weatherseal.

However, the metallic-reinforcing member 30 of Laughman is employed to form a U shaped channel for engaging a flange on a vehicle. The U shaped channel of Laughman, with the metal reinforcing member, is used to locate a seal bulb relative to the vehicle. In contrast, the permanent mount of the window 12 to the frame 10 in Gold '731 does not require, and in fact would be inoperable with the asserted U shaped member, as there is no flange of the vehicle to engage.

Therefore, applicant respectfully submits the asserted references cannot sustain a prima facie showing of obviousness.

Claim 8

Claim 8, depends from Claim 1, and stands rejected under 35 U.S.C. §103 as being unpatentable over Gold '371 in further view of Wang, *et al.* (U.S. Patent No. 6,104,371). The examiner asserts it would have been obvious to provide Gold with a sided emitting fiber optic cable as taught by Wang to increase the amount of light produced by the weatherseal.

The Gold '731 weatherseal does not produce light, but rather reflects incident light. Therefore, it would be contrary to Gold '731 to produce light.

Further, Wang, *et al.* is directed a liquid crystal color display and specifically a high intensity color back light for enhanced color displays. In particular, Wang states "In summary, desirable backlights for display systems should be cool in operation but output high-intensity light, have a low profile, a low mass, a long lifetime, have a high uniformity and must emit light in the required wavelengths. (Col. 1, lines 56-59) There is no suggestion in either cited reference of incorporating a side emitting fiber optic in a weatherseal.

As the incorporation of the Wang, *et al.* side emitting optical fibers into Gold '731 would render Gold '731 inoperative, there is no prima facie showing of a suggestion in either reference for the proposed combination. That is, Gold's '731 requires incident light which is reflected back, rather than light generation or transmission.

Claims 26-31

Claims 26-31 stand rejected under 35 U.S.C. §103 as being unpatentable over Laughman in view of Gold '731. The examiner asserts it would have been obvious to provide Laughman, *et al.* with a light line as taught by Gold '731 to improve the safety of the vehicle.

Independent Claim 26 recites "An elongate *trim piece*, comprising:

(a) an elongate body having a longitudinal axis and a U shaped cross section transverse to the longitudinal axis;

(b) a reinforcing member having a corresponding U shaped cross section transverse to the longitudinal axis; and

(c) a light generating line connected to the body to generate and emit light. (emphasis added)

Laughman, *et al.* is directed to a "typical reinforced weatherstrip 10 having an extruded rubber or rubber-like body 12 formed by a channel-shaped portion 14 and a resilient and flexible bulbous or tubular portion 16." (Col. 2, lines 43-46)

The examiner has not identified any portion of Laughman, *et al* that suggests or discloses a trim piece. The metal reinforcement is used to grip the vehicle flange, the rubber on the metal reinforcement prevents rusting of the metal and the bulb forms the seal. There is no disclosure or suggestion of a trim piece.

Applicant respectfully submits there is no suggestion in either reference for the proposed combination. Further, Gold '731 is directed to a permanently mounted rear window 12 of the vehicle 10. The seal construction of such permanent panels is inherently distinct from those employing a U shaped reinforcing channel as set forth in Laughman.

In addition, Laughman does not have any disclosure or suggestion of improving safety of the vehicle, as Laughman, *et al*. is directed to providing an improved expanded metal strip for reinforcing a weatherseal for engagement with a flange in a vehicle. Applicant respectfully submits the only basis for the proposed combination is the present disclosure.

Therefore, Applicant submits Claim 26 is in condition for allowance. As Claims 27-31 depend from Claim 26 and include all the limitations thereof, these claims are also in condition for allowance.

Claims 13-17, 26 and 32

Claims 13-17, 26 and 32 stand rejected under 35 U.S.C. §103 as being unpatentable over Laughman in view of Wang. Examiner asserts it would have been obvious to provide Laughman with a light line as taught by Wang to improve safety of the vehicle. Applicant respectfully reasserts the previously set forth distinctions and lack of prima facie showing applicable to this proposed combination.

Specifically, the only reference to include the concepts of a seal and a light is Gold '731, wherein the disclosure is expressly directed to reflective surface in a fixed seal. The use of metal reinforcement of Laughman is to grip a flange in a vehicle, there is no disclosure or incentive of safety. The display panel back lighting of Wang does suggest use in a weatherseal.

Therefore, applicant respectfully submits Claims 13-17, 26 and 32 are in condition for allowance.

New Claims

Claims 42-50

Claims 42-50 generally parallel claims 1-9 but are directed to the light transmitting line (configuration), in contrast to the reflective strip of Gold '731.

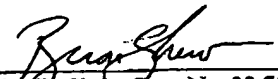
Claims 51-54

Claims 51-54 generally parallel Claim 20-23 but are directed to the light transmitting line configuration, in contrast to the reflective strip of Gold '731.

Therefore, applicant respectfully submits all the pending claims, Claims 1-9, 13-17, 20-23 are 42-54 are in condition for allowance, and such action is earnestly solicited.

If, however, Examiner Strimbu believes any further issues remain, he is cordially invited to call the undersigned so that such matters can be promptly resolved.

Respectfully Submitted,
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Dated: January 25, 2002

VERSION WITH MARKINGS SHOWING CHANGES MADEIn the Abstract of the Disclosure

Please amend the Abstract of the Disclosure as follows:

An illuminating weatherseal [for sealing an interface] can seal a gap between confronting surfaces and [illuminating] illuminate the adjacent environment[is disclosed]. The illuminating weatherseal includes a light emitting line extending along a longitudinal dimension of the weatherseal, wherein the light is emitted from the light emitting line along a path non coincident [defining a non zero angle] with the longitudinal dimension. A switch can be incorporated into the illuminating weatherseal for selectively actuating the light emitting line.

In the Drawings:

Formal Figures 1-24 accompany the present amendment.

In the Claims

1. (Twice Amended) A[n illuminating] weatherseal for sealing a gap intermediate a first and a second [two] confronting surfaces, the first and second confronting surfaces moveable between a spaced apart open position and an adjacent closed position, the weatherseal, comprising:

(a) an elongate elastomeric body selected to attach to [one of] the first confronting surface[s], the elastomeric body including a sealing portion [being] adapted to be spaced from the second [a remaining] confronting surface in the spaced apart open position of the confronting surfaces and the sealing portion adapted to contact [contacting] the [remaining] second confronting surface in the adjacent closed position of the confronting surfaces, the elastomeric body including a seating channel extending along a longitudinal dimension of the elastomeric body; and

(b) a light generating line disposed in the seating channel for generating and emitting light.

2. (Once Amended) The weatherseal of Claim 1, wherein the light generating line emits light along a path defining a non zero angle with the longitudinal dimension.

3. The weatherseal of Claim 1, wherein the elastomeric body includes a carrier portion.

4. The weatherseal of Claim 3, wherein the carrier portion includes a reinforcing member.

5. The weatherseal of Claim 4, wherein the reinforcing member is a metal or a thermoplastic.

6. (Once Amended) The weatherseal of Claim 1, wherein the light generating line [includes] is one of a fiber optic, a light emitting diode [an LED, a fluorescent or] and an incandescent element.

7. The weatherseal of Claim 6, wherein the fiber optic is one of a glass or a plastic.

8. (Once Amended) The weatherseal of Claim 1, wherein the light generating line includes [is] a side-emitting fiber optic cable.

9. The weatherseal of Claim 1, wherein the elastomeric body includes a trim portion.

Please cancel Claim 10. The illuminating weatherseal of Claim 1, further comprising a switch integral with the elastomeric body.

Please cancel Claim 11. The illuminating weatherseal of Claim 10, wherein the switch is one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch.

Please cancel Claim 12. The illuminating weatherseal of Claim 10, wherein the switch creates a switching signal to control illumination of the light line.

13. (Once Amended) A weatherseal assembly comprising:
(a) a weatherseal body having a longitudinal dimension; and
(b) a fiber optic light line connected to the body, the fiber optic light line selected to emit light along a [path non parallel to] portion of the longitudinal dimension.

14. The weatherseal assembly of Claim 13, wherein the body is elastomeric and includes a carrier portion and a sealing portion.

15. The weatherseal assembly of Claim 14, wherein the carrier portion includes a seating channel sized to receive the light line.

16. (Once Amended) The weatherseal assembly of Claim 13, wherein the fiber optic light line includes a pair of fiber optics.

17. (Once Amended) The weatherseal assembly of Claim 13, wherein the fiber optic light line includes a side emitting fiber optic.

Please cancel Claim 18. The weatherseal assembly of Claim 13, further comprising a switch integral with the body.

Please cancel Claim 19. The weatherseal assembly of Claim 13, wherein the switch is one of a capacitive switch, a pressure switch or a touch sensitive switch.

20. (Once Amended) An illuminating weatherseal assembly having a weatherseal body having a cross sectional dimension and a light generating line extending along a longitudinal dimension of the weatherseal body, the light generating line having a cross sectional area less than the cross sectional area of the weatherseal body and selected to generate and emit light[along a path defining a non zero angle with the longitudinal dimension].

21. (Once Amended) The illuminating weatherseal of Claim 20 wherein the weatherseal body includes an elastomeric body connected to the light generating line.

22. (Once Amended) The illuminating weatherseal of Claim 21, wherein the elastomeric body includes a seating channel sized to receive the light generating line.

23. (Once Amended) The illuminating weatherseal of Claim 20, wherein the light generating line is [includes] one of a fiber optic, a light emitting diode [an LED, a fluorescent or] and an incandescent element.

Please cancel Claim 24. The illuminating weatherseal of Claim 20 further comprising a switch integral with the weatherseal.

Please cancel Claim 25. The illuminating weatherseal of Claim 24, wherein the switch is one of a capacitive switch, a pressure sensitive switch or a touch sensitive switch.

Please cancel Claim 26. An elongate trim piece, comprising:

- (a) an elongate body having a longitudinal axis and a U shaped cross section transverse to the longitudinal axis;
- (b) a reinforcing member having a corresponding U shaped cross section transverse to the longitudinal axis; and
- (c) a light line connected to the body to emit light along a path non parallel to the longitudinal axis.

Please cancel Claim 27. The trim piece of Claim 26, further comprising a gripping fin extending into the U shaped cross section.

Please cancel Claim 28. The trim piece of Claim 26, wherein the reinforcing member is embedded in the body.

Please cancel Claim 29. The trim piece of Claim 26, wherein the reinforcing member is a metal or a thermoplastic.

Please cancel Claim 30. The trim piece of Claim 26, wherein the light line includes one of a fiber optic, an LED, a fluorescent or an incandescent element.

Please cancel Claim 31. The trim piece of Claim 30, wherein the fiber optic is one of a glass or a plastic.

Please cancel Claim 32. The trim piece of Claim 26, wherein the light line is a side-emitting fiber optic.

Please cancel Claim 33. The elongate trim piece of Claim 26, further comprising a switch integral with the body.

Please cancel Claim 34. The elongate trim piece of Claim 33, wherein the switch is one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch.

Please cancel Claim 35. An illuminating assembly, comprising

- (a) an elongate body having a longitudinal axis;
- (b) a light line connected to the elongate body along the longitudinal axis; and
- (c) a switch integral with the elongate body, the switch being one of a pressure sensitive switch, a capacitive switch or a touch sensitive switch.

Please cancel Claim 36. The illuminating assembly of Claim 35, wherein the body is elastomeric and includes a sealing portion.

Please cancel Claim 38. The illuminating assembly of Claim 35, wherein the body includes a carrier portion, a trim portion and a sealing portion.

Please cancel Claim 39. The illuminating assembly of Claim 35, wherein the switch extends parallel to the longitudinal axis of the body.

Please cancel Claim 39. The illuminating assembly of Claim 35, wherein the switch extends parallel to the longitudinal axis of the body.

Please cancel Claim 40. The illuminating assembly of Claim 35, wherein the switch includes a field effect transistor.

Please cancel Claim 41. The illuminating assembly of Claim 35, further comprising a sensing electrode embedded in the body.

Please add the following new claims:

42. (New) A weatherseal for sealing a gap intermediate a first and a second confronting surfaces, the first and second confronting surfaces moveable between a spaced apart open position and an adjacent closed position, the weatherseal, comprising:

(a) an elongate elastomeric body selected to attach to the first confronting surface, the elastomeric body including a sealing portion adapted to be spaced from the second confronting surface in the spaced apart open position of the confronting surfaces and the sealing portion adapted to contact the second confronting surface in the adjacent closed position of the confronting surfaces, the elastomeric body including a seating channel extending along a longitudinal dimension of the elastomeric body; and

(b) a light transmitting line disposed in the seating channel, the light transmitting line transmitting light along a length of the light transmitting line.

43. (New) The weatherseal of Claim 42, wherein the light transmitting line emits light along a path defining a non zero angle with the longitudinal dimension.

44. (New) The weatherseal of Claim 42, wherein the elastomeric body includes a carrier portion.

45. (New) The weatherseal of Claim 44, wherein the carrier portion includes a reinforcing member.

46. (New) The weatherseal of Claim 45, wherein the reinforcing member is a metal or a thermoplastic.

47. (New) The weatherseal of Claim 42, further comprising at least one of a fiber optic, a light emitting diode and an incandescent element.

48. (New) The weatherseal of Claim 47, wherein the fiber optic is one of a glass or a plastic.

49. (New) The weatherseal of Claim 42, wherein the light transmitting line is a side-emitting fiber optic cable.

50. (New) The weatherseal of Claim 42, wherein the elastomeric body includes a trim portion.

51. (New) A weatherseal assembly having a weatherseal body having a cross sectional dimension and a light transmitting line extending along a longitudinal dimension of the weatherseal body, the light transmitting line having a cross sectional area less than the cross sectional area of the weatherseal body and selected to transmit light.

52. (New) The illuminating weatherseal of Claim 51 wherein the weatherseal body includes an elastomeric body connected to the light transmitting line.

53. (New) The illuminating weatherseal of Claim 52, wherein the elastomeric body includes a seating channel sized to receive the light transmitting line.

54. (New) The illuminating weatherseal of Claim 51, further comprising one of a fiber optic, a light emitting diode and an incandescent element.